

DD/A Registry

78-2863/1

DD/O 78-4779/1

25 July 1978

MEMORANDUM FOR: Deputy Director for Operations
STATINTL (Attention: [REDACTED])
Deputy Director for Science and Technology
(Attention: Ernest J. Zellmer)
Director, National Foreign Assessment Center
STATINTL (Attention: [REDACTED])
General Counsel
STATINTL (Attention: [REDACTED])
FROM: Michael J. Malanick
Associate Deputy Director for Administration
SUBJECT: Action Plan for Implementation of
Executive Order 12065

As a result of our meeting this morning, a finalized version of the Action Plan for Implementation of Executive Order 12065 is submitted for your review and approval. If you find that all items discussed are reflected as agreed upon, I would appreciate you signing the attached document so that we can commence work on this undertaking as soon as possible.

[REDACTED]
Michael J. Malanick

STATINTL

Attachment: a/s

STATINTL cc: D/Sec (Attention: [REDACTED])
DTR (Attention: Harry Fitzwater)

ACTION PLAN FOR
DDA ASSIGNED TASKS
ASSOCIATED WITH THE IMPLEMENTATION OF
EXECUTIVE ORDER 12065

The DDA assigned tasks associated with the implementation of the new Executive Order have been grouped under one of the following four general headings:

- Classification/Declassification/Mandatory Review
- Markings
- Training
- Safeguarding

TASK FORCES

Individual task forces will be established to handle each of the four areas listed above. The first three task forces will be chaired by ISAS representatives while the fourth will be chaired by a representative from the Office of Security. C/ISAS will function as the coordinator between all task forces.

A representative from each of the four Directorates and OGC will be appointed to each task force to form the basic working group. Additional members can be requested by each Chairman if and when the need arises. Once formed, each task force will be organized internally to handle their individual program elements in the most efficient manner.

DIRECTORATE SUPPORT

To obtain and maintain the shortest possible response time from the four Directorates, it is recommended that the job responsibilities for the four individuals who are currently functioning as the senior Declassification Focal Point Officers for each Directorate be expanded to include all coordination activities associated with the development and implementation of this program. It is further recommended that where practical, those individuals within each Directorate that were tasked with helping to develop declassification guidelines, be designated to assist the Declassification Focal Point Officers with all coordination activities. The above structure worked extremely well in developing the declassification guidelines and should function equally as well in helping to develop and coordinate this program.

ACTUAL PROGRAM IMPLEMENTATION

Within the DDA, records management personnel will be playing an extremely important role in the actual implementation of the new E.O. This role will be to act as the means for transmitting to Agency personnel the actual instructions on what actions are required and how they are to

be done. In this role they will also serve as convenient points of contact for the multitude of questions that are sure to be raised as actual implementation efforts move forward. Involvement of these personnel will be through the Directorate Records Management Officer who will participate in and be kept fully informed on all aspects of the implementation program.

How this program will be implemented within the other Directorates is something that should be decided upon at the earliest possible date.

WORK ASSIGNMENTS

I. CLASSIFICATION/DECLASSIFICATION/MANDATORY REVIEW

A. TASK FORCE - Chairman -

DDO -
NFAC
DDS&T
DDA -
OGC -
IPS -

OS -
RAB -



B. Approach - Will be to combine classification with declassification and develop common guidelines covering both aspects. To meet known requirements of the new E.O. both classified and unclassified guidelines will have to be developed. Since the system established for the development and approval of the current Agency declassification guidelines is still in existence, it is planned that this same system will be used to obtain overall coordination and approval for all guidelines that will be developed. Applicable regulations will be written/rewritten.

C. Problems - No specific problems have been identified.

D. Time Frame - In-house guidelines and regulations should be ready for formal coordination and approval by 1 October 1978. This will allow two months to complete this process so that they will be ready for use by the Agency on 1 December 1978. Unclassified guidelines for outside approval and publication in the Federal Register must be completed by 1 June 1979.

II. MARKINGS

A. TASK FORCE - Chairman -



STATINTL

DDO -
NFAC
DDS&T
DDA -
OGC -
OS -
RAB -

B. Approach - All classification markings and controls now in use throughout the Agency will have to be reviewed in light of the implementing order for the new E.O. to determine what changes will be required and how these changes should be implemented. Initial requirement will be to get OGC guidance on what markings and controls the implementing order for the new E.O. will probably allow so preliminary work can start as soon as possible. Applicable regulations will be written/rewritten.

The initial instructions and procedures dealing with markings will have to be followed by a detailed handbook on how these general procedures are to work, i.e., size and position of markings.

C. Problems - It is anticipated that due to the great number of individual interests involved in this general area a significant number of problems may be encountered.

D. Time Frame - All proposals ready for formal coordination and approval by 1 October 1978. All newly required stamps ready for distribution by 1 November 1978.

III. TRAINING

A. TASK FORCE - Chairman

STATINTL

OGC
RAB
OS -
OTR

B. Approach - Identify those elements that the new E.O. requires must be addressed and work with OTR to develop the most effective means of getting required information to all levels of the Agency. Special emphasis should be placed on determining whether an audio-visual presentation would be the most effective way to inform all Agency personnel on the changes the new E.O. brings to the current classification process. Applicable regulations will be written/rewritten.

C. Problems - No special problems have been identified as of this time.

D. Time Frame - Programs and procedures ready for in-house formal approvals by 1 October 1978. Actual training of employees to start by 1 November 1978.

IV. SAFEGUARDING

A. TASK FORCE - Chairman -

DDA -
DDO -

DDS&T
NFAC
OGC -
OS -

STATINTL

B. Approach - Identify those elements of the new E.O. relating to the safeguarding of classified material that require implementation through revision of Agency regulations. The Office of Security has been preparing revised security regulations which will serve as a take-off point for the changes necessitated by the E.O. Specifically, the new regulations will replace the extant [REDACTED]

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C. Problems - The principal problem associated with the implementation of safeguarding policy is caused by the fact that Headquarters Regulations depend largely on the development of the implementation directive for E.O. 12065. As a result, the promulgation of the implementing directive will be the pacing item.

D. Time Frame - Initial drafts on which to build the revised Headquarters Regulations are already available. They will be modified to be consistent with the implementing directive as it is developed. Assuming promulgation of the implementing directive by 30 September, final drafts of the Headquarters Regulations should be submitted to the Regulations Control Branch by 31 October.

V. APPROVALS/ACTION REQUIRED

1. Approval of the attached Headquarters Notice describing what is being done within the Agency to prepare for the implementation of the new E.O.

2. Approval for the use of senior Directorate Declassification Focal Point Officers and supporting structures in implementing the new E.O.

3. Appointment of representatives to the various task forces and agreement that additional personnel will be made available if required.

4. Coordination and approval of the final implementation package will be handled within the respective Directorates and independent offices by the below listed signatories.

APPROVED:

STATINTL

[Redacted Signature]

Michael J. Malanick
Directorate of Administration

26 July 1978
Date

STATINTL

[Redacted Signature]

Directorate of Operations

26 July 78
Date

STATINTL

[Redacted Signature]

Ernest J. Zellmer
Directorate of Science and Technology

26 July 78
Date

STATINTL

[Redacted Signature]

National Foreign Assessment Center

7-26-78
Date

STATINTL

[Redacted Signature]

Office of General Counsel

7-26-78
Date

25 JUL 1978

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MEMORANDUM FOR: Chief, Information Systems Analysis Staff

STATINTL FROM:

Chief, Records Review Branch

SUBJECT: Comments on the Implementing Directive for
Executive Order 12065

The following comments are keyed to the Interagency Classification Review Committee Directive Concerning National Security Information.

I. ORIGINAL CLASSIFICATION

A. Definition

Suggest the word "classification" be added making the definition read: "Original classification" as used in the order means an initial determination that official information requires, in the interest of national security, a specific degree of protection against unauthorized disclosure coupled with a classification designation signifying that such a determination has been made."

B. Authority to Classify

Suggest the word "position" be used instead of absence, and also add to the end of the sentence "provided that person has original classification authority." (See Paragraph 1-204 of E.O. 12065.)

E. Classification Procedure

Regarding the statement "Except as provided in Section 1-303 of the Order.....", Should COMINT information as well as foreign government information and identity of a confidential foreign source be considered to automatically meet the damage criteria?

F. Standard Identification and Markings

Would it be advisable to have specific formats or examples of the stamp formats to be used to assure uniformity within the Intelligence Community?

II. DERIVATIVE CLASSIFICATION

D. Classification Guides

(1) a. We presume information elements to be categories a-g, Paragraph 1-301 of E.O. 12065 broken down into sub-categories.

(1) b. One can in general assign a classification designation to categories and sub-categories but classification should be based on substance, sources and methods, sensitivity over time, and other factors.

(1) c. A guideline justifying classification beyond six years for categories and sub-categories as with assignment of classification seems unworkable when one considers that subject matter, sources and methods, sensitivity over time, and other factors determine both classification and its duration. In summary, classification guide requirements should be general enough to accommodate Intelligence Community needs.

III. DECLASSIFICATION AND DOWNGRADING

B. Earliest Possible Declassification

(1) Suggest the phrase "original classifiers" be changed to "agency heads and those with TS classification authority." (See Paragraph 1-201 of E.O. 12065.)

(2) Suggest the last phrase be rewritten to read "..., the need to protect the information and intelligence sources and methods shall be presumed to predominate."

C. Systematic Review for Declassification

(1) b. Foreign Government Information

Suggest that consideration be given to a provision for waiving the mandatory 10 year review of foreign government information.

(2) b. Extending Classification After Review

Regarding the last sentence of this paragraph, what does the term "administrative functions" mean?

(2) c. Assistance to the Archivist

Suggest adding a statement at the end of the first sentence so it will read "...in the systematic review of 20-year-old U.S. originated information and 30-year-old foreign information accessioned to NARS."

(3) Waivers of Further Review

Suggest rewriting the second sentence to read "Such requests shall include personal certification by the Agency head that the categories of classified information for which the waiver is sought were systematically reviewed as required, ...for a period in excess of twenty additional years or thirty additional years in the case of foreign information and a recommendation on the period before the next required review."

D. Procedures for Mandatory Declassification Review

(1) f. Foreign Government Information

For the sake of clarity, suggest changing the first sentence to read "Requests for mandatory review ... with the guidelines developed for the purpose under III C(1)b above."

IV. SAFEGUARDING

B. Upgrading of Classification

Is too restrictive as written. We have found in our classification review that materials occasionally require upgrading [REDACTED] STATINTL permits such upgrading by RRB. The way this paragraph now reads such upgrading by RRB would appear to be excluded.

STATINTL



TRANSMITTAL SLIP		DATE
TO:		
ROOM NO.	BUILDING	
REMARKS:		
<p>1) <u>ADDA</u> FYI - all signed! by</p> <p>2) <u>AI</u> Pence OK to publish Mike</p>		
FROM:		
28 JUL 1978		
ROOM NO.	BUILDING	EXTENSION
3) C/1545		
FORM NO. 241 1 FEB 55		
REPLACES FORM 36-8 WHICH MAY BE USED.		